

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Treasuries and Accounts Department - Misappropriation of Monthly Subscription of Zilla Parishad Provident Fund at Sub Treasury, Pedakurapadu, Guntur District - Drawal of amount as advance permission accorded - Orders- Issued

FINANCE (Admn.III) DEPARTMENT

GO Rt. No. 4111
-10-2012.

Dated 19

Read the following

Lr. No.K(I)4/14624/99 dated 09-05-2012 of
Director of Treasuries and Accounts, A.P.,
Hyderabad.

In the reference 1st read above, the DTA., A.P., Hyderabad informed that an amount of Rs.16,54,920/- was misappropriated at the Sub-Treasury, Pedakurapadu, Guntur District during the period from 05/1996 to 09/1997. Out of which Rs.2,07,053/- belongs to the Zilla Parishad Provident Fund monthly contribution of Z.P. Teachers. Departmental action was taken against the following treasury personnel and awarded the punishments noted against their names:

Name of the employee	Punishment awarded
Sri P. Narayanamurthy, STO (Retd.)	Withholding of full pension, DCRG and other terminal benefits vide G.O. Rt. No.1287, dtd: 29/04/2003 of Finance (Admn.I) Department.
Sri P. Srinivasa Rao, JA,	Expired on 11/08/1998 while under suspension hence no punishment awarded
Sri Md. Yusuf, Shroff	Dismissed form service vide Govt. Memo. No. 26145/ 887/ A1/Admin.III/2005, dtd: 22/11/2006 of Finance (Admn.III) Department.
Sri P. Arlaiah, Shroff :	Withholding of 100% pension cut permanently vide G.O. Rt. No. 4198 dtd: 01/12/2006 of Finance (Admn.III) Department.

2. Government in Memo No. 10075-A/47/A1/Admn.I/03, dtd: 12/03/2007 have ordered to identify the properties of the delinquents and to recover the amount by invoking Revenue Recovery Act. Thereon the DD, DT, Guntur has addressed the District Registrar, Guntur for identifying the properties of delinquent officers and requested the Collector and District Magistrate, Guntur for directing the Tahsildars concerned to attach the properties of delinquents and further pursuing the matter.

3. In the meantime, Sri G. Koteswara Rao and other teachers of ZP whose GPF subscription to an extent of Rs.2,07,053/- was misappropriated and who were not paid their final payments have filed a complaint at Hon'ble District Consumer Forum, Guntur vide CC No. 53/2008 for reimbursement of the misappropriated amount.

4. The Hon'ble District Consumer Forum, Guntur in its judgment dated 24-04-2010 in CC No.53/2008 has ordered the following:

1. Refund ZP Provident fund, which was deducted out of the salaries of (30) complainants as per particulars given in the complaint along with interest @ 9% per annum from those respective months to till the date of realization.

2. Pay the damages of Rs.10,000/- towards mental agony, pain and suffering apart from legal expenses of Rs.5,000/- in all.

3. The above orders may be complied within period of (6) weeks from the date of receipt of this order, failing which amounts in para (1) shall carry interest @ 9% per annum from those respective months to till the date of realization.

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5. On receipt of orders of Hon'ble District Consumer Forum, the DTA.,A.P., Hyderabad advised the Deputy Director, District Treasury, Guntur to pursue it with the CEO, ZP, Guntur and also addressed the Commissioner, P.R.&R.E. Department for expediting action to release the required funds to the CEO, ZP, Guntur. .

6. Meanwhile the Hon'ble District Consumer Forum, Guntur in its Penalty Petition (PP) No.01 of 2012 in CC No.53/2008, dtd: 10/01/2012 issued notice as to why penalty should not be imposed against the respondents i.e., the Director of Treasuries and Accounts, AP, Hyderabad; the Deputy Director, District Treasury Office, Guntur and the Sub-Treasury Officer, Sub-Treasury Office, Pedakurapadu as per the provision of sec.27 of the Consumer Protection Act, 1986 and the case was posted to 16/02/2012, 29/02/2012 and subsequently posted to be heard on 30/4/2012.

7. It is stated by the Director of Treasuries and Accounts, Andhra Pradesh, Hyderabad that the misappropriation in question was committed by the treasury personnel at the Sub Treasury, Pedakurapadu, Guntur District. As such, the treasury is bound to take action to redraw the amount of loss and adjust to the Z.P.P.F. accounts concerned, pending recovery of the misappropriated amount as per the procedural instructions issued in Govt. in Memo No. 15455-B/257/A&L/76, dated: 19/3/1976 of the Finance and Planning (FW. A&L) Dept.

8. The DTA.,A.P., Hyderabad therefore requested the Government issue orders to release an amount of **Rs.7,56,891/-** (Subscription amount Rs.2,07,053/- + damages Rs.10,000/- + Legal expenses Rs.5,000/- and interest up to 30/09/2012 put together amounting to Rs.7,56,891/-) as civil advances under the following Head of account at the earliest to avoid further interest as the interest will automatically increases with the time and also to avoid legal complications:

K-Deposits and Advances

8550 Civil Advances -

104 Other Advances -

03 Other Advances

9. Government after careful examination of the matter, hereby sanctioned an amount of Rs.7,56,891/- (Rupees Seven Lakhs Fifty Six

Thousand Eight Hundred Ninety One Only) (Subscription amount Rs.2,07,053/- + damages Rs.10,000/- + Legal expenses Rs.5,000/- and interest up to 30/09/2012 put together amounting to Rs.7,56,891/-)under the following head of account.

K-Deposits and Advances

8550 Civil Advances -

104 Other Advances -

03 Other Advances.

10. The Director of Treasuries and Accounts, A.P., Hyderabad is directed to take further action for recovery from the delinquents and to be credited to the above head of account.

11. This order is issued with the concurrence of Fin (BG I) Department vide their U.O. Note No. 13684/782/A1/BG/12 dated 13-06-2012

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D.SAMBASIVA RAO
PRINCIPAL SECRETARY TO GOVERNMENT
(FP)

To
The Director of Treasuries and Accounts, A.P., Hyderabad
Copy to :
The Finance (BG I) Department, A.P. Secretariat, Hyderabad.

//FORWARDED::BY ORDER//

SECTION
OFFICER